



I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the 15 day of November, 2006, with sufficient postage as First Class Mail, in an envelope addressed to: MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: November 15, 2006 Signature:

(Raymond Garguilo, Jr.)

EXPEDITED PROCEDURE

Group Art Unit: 3738

Docket No.: SPINE 3.0-437

CIPCIPCIPCIP CON XV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: ::
Errico et al. ::
Application No.: 10/642,527 :: Group Art Unit: 3738
Filed: August 15, 2003 :: Examiner: B. E.
Pellegrino ::
For: AXIALLY COMPRESSIBLE ::
ARTIFICIAL INTERVERTEBRAL ::
DISC HAVING A CAPTURED BALL ::
AND SOCKET JOINT WITH A ::
SOLID BALL AND COMPRESSION ::
LOCKING POST ::

AMENDMENT UNDER 37 CFR 1.116

MS AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Official Action mailed June 15, 2006, finally rejecting claims 1-20, Applicants submit the following amendments and remarks.

A Petition for a Two-month Extension of Time thereby extending the time for responding to the Official Action from September 15, 2006 to and including November 15, 2006 is included herewith.